

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

SAMUEL CARROLL,

Plaintiff,

VS.

JO ANNE B. BARNHART,

Defendant.

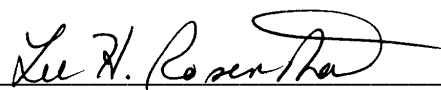
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CIVIL ACTION NO. H-01-1022

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION

This court has reviewed the Memorandum and Recommendation of the United States Magistrate Judge signed on February 21, 2006. This court has made a *de novo* review of the Magistrate Judge's recommended disposition. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). Based on that review, this court adopts the Memorandum and Recommendation as this court's Memorandum and Order. This court finds that the Commissioner's decision to deny disability insurance benefits is supported by substantial evidence and that the Commissioner used proper legal standards to evaluate the evidence. This court grants the Commissioner's motion for summary judgment, denies the plaintiff's motion for summary judgment and, by separate order, enters final judgment.

SIGNED on March 7, 2006, at Houston, Texas.



Lee H. Rosenthal
United States District Judge